

CEEDING OR ACTION MAY BE BROUGHT BY THE STATE, SHALL NOT CREATE BY REASON THEREOF ANY PRESUMPTION OF LAW OR FINDING OF FACT WHICH SHALL INURE TO OR BE FOR THE BENEFIT OF ANY PERSON OTHER THAN THE STATE.

700. ADMINISTRATIVE PROCEDURE ACT.

THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT (ARTICLE 41 OF THE ANNOTATED CODE OF MARYLAND, 1965 REPLACEMENT VOLUME AND 1966 SUPPLEMENT) SHALL APPLY TO THE PROVISIONS OF THIS SUBTITLE AND ALL PROCEEDINGS UNDER THIS SUBTITLE.

701.

THE ATTORNEY GENERAL OF MARYLAND SHALL BE THE LEGAL ADVISOR FOR THE DEPARTMENT AND THE BOARD IN CARRYING OUT THEIR DUTIES UNDER THIS SUBTITLE, SHALL ENFORCE COMPLIANCE WITH THE REQUIREMENTS OF THIS SUBTITLE THROUGH ANY APPROPRIATE LEGAL REMEDIES, AND SHALL PROSECUTE VIOLATIONS IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE.

702.

THE DEPARTMENT IS AUTHORIZED TO OBTAIN FOR THE USE OF THE STATE SUCH FEDERAL OR OTHER FUNDS AS MAY BE AVAILABLE FROM TIME TO TIME FOR PURPOSES WITHIN THE SCOPE OF THIS SUBTITLE.

703.

(A) VIOLATION OF ANY STANDARD OR RULE AND REGULATION ADOPTED UNDER THIS SUBTITLE SHALL SUBJECT THE OFFENDER TO FINE NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000) FOR EACH VIOLATION. A VIOLATOR WHO HAS SUBMITTED A PLAN FOR COMPLIANCE WITH THIS SUBTITLE AND WHO HAS HAD THAT PLAN OR AMENDMENTS TO IT APPROVED BY THE BOARD, UPON RECOMMENDATION BY THE DEPARTMENT, SHALL NOT BE CONSIDERED TO BE IN VIOLATION OF THIS SUBTITLE AS LONG AS HE ACTS IN ACCORDANCE WITH THE ORIGINAL OR AMENDED PLAN. THE BOARD SHALL ACT UPON ANY PLAN WITHIN NINETY (90) DAYS AFTER SUCH PLAN HAS BEEN SUBMITTED TO IT. EACH DAY ON WHICH A VIOLATION OCCURS SHALL CONSTITUTE A SEPARATE VIOLATION UNDER THIS SECTION.

(B) NO PROSECUTION OF ANY PERSON, FIRM, CORPORATION, AGENCY, OR ENTITY ON A CHARGE OF VIOLATING THIS ACT OR ANY STANDARD, RULE OR REGULATION, NOTICE OR ORDER PROMULGATED THEREUNDER, SHALL BE HAD OR MAINTAINED UNLESS, AT THE INITIAL STAGE THEREOF, SUCH PROSECUTION SHALL HAVE BEEN AUTHORIZED AND DIRECTED BY THE WRITTEN ORDER OF THE COMMISSIONER OF HEALTH, SUCH WRITTEN ORDER TO BE FILED WITH THE PAPERS IN THE PROCEEDING.